



## CONSTITUTIONALITY OF COAL CONTROL IS TO BE TESTED

**Question of Responsibility Becomes Very Much Complicated.**

### R. R'S MAY HAVE TO PAY

**Producers for Coal Diverted Under Orders of a Fuel Distributor; One Railroad to Institute Friendly Litigation to Settle This Point**

BY GEORGE H. CUSHING,  
Special Correspondent of The Courier.

WASHINGTON, Sept. 23.—A few weeks ago, the fuel distributor for the state of Michigan decided that he wanted some coal for a specified purpose and appealed to the federal fuel distributor to supply it. He stipulated that he wanted a matter of 100 cars.

The federal fuel distributor complied instantly with the request and shipped 100 cars from western Kentucky. Forty-seven of those cars have arrived at destination. The other 53 cars were, at last reports, on the way to Detroit.

When the first lot of 47 cars arrived, the consignees looked them over and also peeked at the waybill which indicated the point of origin. He decided that some great mistake had been made. He wanted eastern Kentucky coal. He got western Kentucky coal. Because he did not get what he wanted, the consignees decided that he would reject the whole shipment and has done so.

In the meanwhile, the producer of the coal feels like a man who has been sent up in a balloon. He is afraid in "the blue" and does not know how to get down. He produced the coal. He paid the miners their wages. He guaranteed to pay the railroad its freight rate. He had other customers to whom the coal could have been sold. But, his coal was taken from him and sent to Detroit on the orders of Mr. Spencer, reinforced by the power of the Interstate Commerce Commission. At any rate, he is sure that he is out of pocket the cost of the coal and the freight rates and that he lost possession of his coal. It is on track in Detroit consigned to the Michigan distributor who, thereby, becomes the actual owner of the coal in the eyes of the railroad.

Now, the producer is wondering how, when, and from whom he is going to get his money to "make himself whole," to use the language of the law.

If the instructions of the federal fuel distributor have been observed, the money needed to guarantee payment for the coal has been deposited in a bank in Detroit. Under those circumstances, all the producer of the coal has to do is to attach the fund. This will make the producer whole and will then leave the quarrel for settlement between the Michigan coal distributor and the consignee.

But, if the Michigan distributor failed to deposit the guarantee money—which seems now to be the case—and hence got the coal under false pretense, then he, personally, is responsible for the money and will have to pay it. Also, Henry B. Spencer, the federal fuel distributor, by being an accessory before the fact, becomes jointly responsible with the Michigan distributor for the payment of the money. A suit can—and probably will—be lodged against either gentleman or both.

If the coal operator had consigned the coal to his own customer and if the federal fuel distributor, thereafter, consigned it to another party, the railroad, by accepting that second consignment, becomes jointly responsible to the producer of the coal.

These details have been gone into with particular care because this is likely to prove the case which will test the validity of all of the recent interference with the coal business by agents of the government. There has been a great deal of taking of personal property without due process of law.

There has been a great deal of disturbing the ordinary processes of business on a broad assumption that is for the public good. These matters do not, however, repeat the law or suspend the constitution of the United States. Those documents are still of full force and effect.

One of the federal statutes says that if an officer, sworn into the service of the United States, transcends his authority or disregards the laws, he must assume full responsibility for his act. Thus, if the Kentucky operator goes into court, there are going to be some mighty interesting developments and what might be termed a hot time.

Perhaps no bigger question has been raised in this country for a long while. And, it is peculiarly germane to a situation which is soon to arise in connection with the anti profiteering bill which is just about to be signed by the President. Under that interesting law, the Interstate Commerce Commission is empowered to instruct the railroads to refuse to set cars into a mine unless the mine agrees to charge the prices fixed by the federal fuel distributor.

Assume that the commission issues the order that the railroad complies; that the law is declared unconstitutional; and that the aggrieved shipper goes into court to test the constitutionality of the law. They are not opposed which were fired September 13. On the same date, 25 ovens were fired at Peat.

The lawyers declare that the law is unconstitutional and that the railroads will have to pay the damages. It is now known in Washington that the railroads are fully aware of their danger under this law. It is known that at least one railroad will—without waiting for the operator's act—go into court to test the constitutionality of the law. They are not opposed which were fired September 13. On the same date, 25 ovens were fired at Peat.

the damage claims which will be filed against them. In the effort to dodge the damage claims, they are going to institute "friendly" litigation on this interesting point.

In one of the dispatches recently, it was said that the labor situation in West Virginia was beginning to warm up. In the Upper Potomac region, the men do not want to return to work. Still, they are living in the company houses and are preventing anyone else from moving in or from going to work. The companies have said that the men must either work or get out; they want the houses for the use of men who are willing to work. The dispute became warm. The companies had to give out eviction notices. The men are being forced out of the houses. Now the evicted men are appealing to Washington for help. They are asking the government to go on record to the effect that they can live in other people's property without paying rent and without doing the work of the other people. The government is, of course, helpless because these matters are wholly within the jurisdiction of the state.

**Washington Still Preaching Famine Shortage of Coal**

Continued from Page One.  
World War with all of the machinery purring in beautiful tune.

In the meantime, the federal fuel distributor has put out a few feelers in the coal industry. He has been approaching through outsiders—some of the operators to see how they feel on the question of what is a fair price. One of the first groups approached was the one which stuck by Mr. Hoover most loyally in the strike period. He asked those gentlemen what they would think, as a start, of the prevailing price at this time in 1921 plus, say, about 25 to 35 cents?

At this time, a year ago, the price of that coal was around \$1.65 to \$1.75 a ton at the mines. The price indicated would be about \$2 per ton.

When the operators heard that suggestion, they turned up on their heads and began to walk on the ceiling. No nearer approach to the extreme conclusion has been reached because no further efforts have been made. However, the coal men have been advancing since that interview. They realize that Congress empowered Mr. Spens and Mr. Spens only to do anything about what is a fair price for coal. It empowered him to express his opinion. And, it authorized the commission to instruct the railroads to carry that opinion into effect.

The coal men are also beginning to realize that Congress left the matter of price wholly with the inner consciousness of Mr. Spens. That is, it did not require him to gather any facts and wholly neglected to authorize him to summon witnesses or to administer an oath. All he is instructed to do is to refer to some selected spot and cogitate on a reasonable price and to tell the world what his conclusions are. The coal men are wondering where he is going to end now that he has started at the \$2.00 figure. They are wondering whether he is going up or going down and how much.

The one thing they realize is that Mr. Spens does not have to tell anybody what the price is until he announces it. And, they know that, even then, he does not have to tell anyone how he arrived at his conclusion.

**BALTIMORE & OHIO SHOWS DECREASED OPERATING COSTS**

BALTIMORE, Sept. 26.—The annual report of the Baltimore & Ohio Railroad Company for 1921 just issued covers the 95th year of the existence of the company and shows a gratifying condition of the property notwithstanding that the amount of traffic handled was considerably less than in 1920, owing to depressed business conditions.

Freight revenues in comparison showed a decrease of \$26,289,416, or 14.39 per cent, and reflected in part the decline in industrial activity which began in the fall of 1920 and continued throughout 1921. The falling off in freight business may also be measured by the total of revenue tons of freight carried which for 1921 amounted to 71,535,702 tons or 29.81 per cent less than in 1920. Besides, the revenue tons carried one mile decreased from 20,832,671 tons in 1920 to 14,198,737,702 tons in 1921, or 32.17 per cent, owing to shorter average haul as well as to a smaller volume of tonnage.

Total operating revenues for the year were \$158,622,772, decrease, as compared with 1920, \$38,322,070, or 14.37 per cent; total operating expenses, \$166,457,024; decrease, \$69,049,283 or 26.28 per cent; net railway operating income, \$21,165,546; decrease, \$4,580,749; other corporate income, \$10,120,824; increase, \$4,720,066; net corporate income, \$6,888,591; decrease, \$885,539.

During the year the company rearranged and enlarged the freight yards at Locust Point, Baltimore, to accommodate increasing commercial development, and it is continuing to renew and strengthen bridges on its lines so as to gradually extend the operating limits of the heavier locomotives.

The operating expense ratio of the system for the year was 83.81 per cent of operating revenues, a decrease of 13.39 per cent.

**Ovens Fired in Greensburg Field**

GREENSBURG, Sept. 23.—Seventy-five coke ovens which had been idle for a year and a half were fired yesterday at the plant of the Saxon Coal Company at Peanut. At the Duquesne mine of the Bruceton Coal & Coke Company, 50 ovens were fired.

The 50 ovens fired at the Duquesne plant are in addition to 36 ovens which were fired September 13. On the same date, 25 ovens were fired at Peanut.

## LIST OF COKE OVENS IN THE CONNELLSVILLE DISTRICT

With Their Owners, Address and Ovens in Blast Corrected to Saturday, September 23, 1921.

Ovens In Works Name of Operators Address

MERCHANT OVENS			
182	122	Beatty	Mt. Pleasant Coke Co. Greensburg
180	10	Brush Run	Brown Run Coke Co. Mt. Pleasant
10	10	Clarissa	Cairo Coal Co. Connellsville
100	10	Elm Grove	W. J. Rainey, Inc. New York
10	10	Franklin	Summit-Cville Coke Co. Connellsville
101	10	Glimore	Glimore Coke Co. Uniontown
83	10	Grace	Corrado-Schmidt Coke Co. Connellsville
146	100	Hughes	Samuel J. Loring, Inc. Youngstown
16	10	Lumina	John W. Gandy, Inc. Connellsville
276	10	Morgan	Caruso-Schmidt Coke Co. Connellsville
216	100	Mt. Braddock	W. J. Rainey, Inc. New York
216	100	Mt. Pleasant	Mt. Pleasant Coke Co. Uniontown
32	10	Myles	Brownfield Coal & Coke Co. Uniontown
49	10	Palmer	Palmer Coke Co. Connellsville
228	10	Oliver No. 1	Oliver & Snyder Steel Co. Pittsburgh
450	10	Oliver No. 2	Oliver & Snyder Steel Co. Pittsburgh
800	10	Oliver No. 3	Oliver & Snyder Steel Co. Pittsburgh
90	10	Paul	W. J. Rainey, Inc. New York
200	100	Pearson	McMahon Coal & Coke Co. Connellsville
400	100	Thomas	W. J. Rainey, Inc. New York
10	20	West Penn	Wheel Coke Co. Uniontown
21	20	West Penn	West Penn Coke Co. Pittsburgh

## FURNACE OVENS

250	100	Adelaide	H. C. Frick Coke Co. Pittsburgh
325	100	Alverton	H. C. Frick Coke Co. Pittsburgh
397	100	Bagnaley	H. C. Frick Coke Co. Pittsburgh
309	45	Burns	H. C. Frick Coke Co. Pittsburgh
249	145	Brinkerton	H. C. Frick Coke Co. Pittsburgh
210	145	Burnette	H. C. Frick Coke Co. Pittsburgh
201	145	Casson	H. C. Frick Coke Co. Pittsburgh
400	200	Cutter	H. C. Frick Coke Co. Pittsburgh
400	242	Continental 1	H. C. Frick Coke Co. Pittsburgh
316	141	Continental 2	H. C. Frick Coke Co. Pittsburgh
300	141	Continental 3	H. C. Frick Coke Co. Pittsburgh
120	80	Crossland	H. C. Frick Coke Co. Pittsburgh
222	100	Dale	H. C. Frick Coke Co. Pittsburgh
230	100	Dorothy	H. C. Frick Coke Co. Dunbar
110	100	Dunbar	Amer. Manganese Mfg. Co. Pittsburgh
273	100	Hecla No. 1	H. C. Frick Coke Co. Pittsburgh
250	173	Hecla No. 2	H. C. Frick Coke Co. Pittsburgh
250	173	Hecla No. 3	H. C. Frick Coke Co. Pittsburgh
325	173	Hecla No. 4	H. C. Frick Coke Co. Pittsburgh
355	100	Hectorite	Hostetter-Cville Coke Co. Pittsburgh
249	134	Junctura	H. C. Frick Coke Co. Pittsburgh
206	234	Kyle	H. C. Frick Coke Co. Pittsburgh
493	249	Lewinering 1	H. C. Frick Coke Co. Pittsburgh
500	249	Lewinering 2	H. C. Frick Coke Co. Pittsburgh
301	100	Leith	H. C. Frick Coke Co. Pittsburgh
227	100	Lemon No. 1	H. C. Frick Coke Co. Pittsburgh
340	162	Lemon No. 2	H. C. Frick Coke Co. Pittsburgh
509	258	Marmouth	H. C. Frick Coke Co. Pittsburgh
359	258	Maryport	H. C. Frick Coke Co. Pittsburgh
301	80	Mayfield	H. C. Frick Coke Co. Pittsburgh
256	120	Oliphant	H. C. Frick Coke Co. Pittsburgh
400	250	Phillips	H. C. Frick Coke Co. Pittsburgh
443	100	Ridgestone	H. C. Frick Coke Co. Pittsburgh
448	100	Shoaf	H. C. Frick Coke Co. Pittsburgh
230	210	Sherman	H. C. Frick Coke Co. Pittsburgh
300	156	Southwest 1	H. C. Frick Coke Co. Pittsburgh
300	156	Southwest 2	H. C. Frick Coke Co. Pittsburgh
500	290	Yorklyn	H. C. Frick Coke Co. Pittsburgh
216	150	Youngstown	H. C. Frick Coke Co. Pittsburgh

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## The Weekly Courier

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THURSDAY MORNING, SEP. 28, '22.

CHURCHES NOT LODGE ROOMS.  
"Members of official boards of  
churches who object to giving per-  
mission for the use of their buildings  
to persons who decline to reveal their  
identity or refuse to conduct the ne-  
gotiations in the open manner usually  
employed, are acting well within their  
rights and with due regard for their  
responsibilities as stewards of prop-  
erty dedicated to public worship."In the estimation of many mem-  
bers of congregations and the public  
generally, secret and mystery have  
no place in connection with churches.  
Nor has it ever been the practice to  
bar their doors to members or to the  
public upon any occasion. Hitherto  
all people have been accorded the free  
right to exercise their will with re-  
spect to their presence in churches  
and without incurring any obligation  
as to sources concerning what they  
hear or see there.With the advent of the Ku Klux  
Klan in this country, a very de-  
cided departure from long-established  
practice appears to have taken place  
touching the manner in which per-  
mission is given for the use of  
churches for other than religious  
purposes. In arranging for meetings  
of this organization its representatives  
refuse to make themselves known to  
the church offices, conduct their ne-  
gotiations over the telephone or  
through a third party.This method of engaging church  
auditoriums for meetings has never  
before been followed here. When the  
use of a church has been sought for  
any purpose except the customary  
services of the congregation, the ne-  
gotiators have approached the of-  
ficials in a church building. If no full  
satisfaction can be obtained at these  
points, church officials have no hesita-  
tion to withhold their permission to use  
the church or see them elsewhere.In at least one instance, however,  
the Klan in this country has been  
allowed to use a church building for  
a political meeting. This was done  
at the insistence of the Klan in  
order to secure the services of a  
candidate for office.The Klan in this country has  
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## SCOUTS OF TROOP 5 MAKE MERRY OVER RETENTION OF CUP

All Members But One, Several Guests, Attend Feast at Carnegie Library.

## PRAISE FOR R. E. SLIGER

Troop Leader Greeted With Luncheon Success In Holding Boys of Larger Growth Together; Determined to Cop Prize in Another Year

Boy Scout Troop No 5 celebrated the winding up of the second leg of its Silver Cup as offered at a prize by Milton Bishop Post No 303. The American Legion to the Scout troop winning high honors in contests conducted in connection with the annual community outings held at Oakfield Park at a special meeting Thursday night. Troop No 5 was victorious last year and this summer the second leg was captured by a slight margin of four points.

Every member of the troop except one was present and in addition there were a number of guests. Representative of the American Legion Grand Army of the Republic, the Scout Council, Scout troops, and others were among the guests. The meeting was held in the regal at room at the Carnegie Free Library, which had been decorated for the occasion in blue and gold. The troop colors.

The troop was seated in patrols and the affair was in charge of Scout master Ralph E Sliger and Assistant Scoutmaster H Dene Wright. The regular order of business was conducted after which Max C Pfeifer representing the Legion presented the cup to the troop. He congratulated the Scouts on the show, they had made. He acknowledged the presence of three fighting forces in the city—the Grand Army of the Republic, the Legion and the Scouts. He expressed the hope of closer relations among them and reminded the Scouts that the Legion members were always the big brothers of the younger organization.

The speaker recited the history of the Silver Cup from the time a cup was first known and also told how a Silver Cup became the favorite trophy for athletic contests.

Post Commander J Montgomery Dilworth handed the cup to the speaker and he gave it to Sam Patro Leader Clarence Lew, who accepted it in a short speech.

Scoutmaster Sliger was master of ceremonies. He said he and his boys would be after the trophy again next year and did not possibly see how the troop was going to lose it.

Following the presentation of the cup the Scouts gave gifts for their visitors and then lunch was served. The scout auxiliaries composed of mothers and sisters of the members of the troop had charge of this feature and were kept busy supervising the hungry lads who leaped their plates with sandwiches.

C W Horner a member of the troop committee spoke briefly, congratulating the Scouts on their success in taking the cup a second time and declared he believed them capable of doing it again. Scout Commissioner R C Wilt indicated his intention of making things more interesting next year. He also remanded the troop it had one of the best scoutmasters in the city in Mr Sliger. The scout leader has held on to all of his boys and has made things so interesting that his attendance at meetings is seldom below 25.

W Clark commander of William F Kurtz Post No 164 Grand Army of the Republic also spoke briefly, and Captain E Dunn another Civil War veteran followed him. Captain Dunn urged the Scouts to do the square things always and take advantage of every opportunity which offered itself for advancement.

John L Gans a member of the Local Scout Council also said a few words. He congratulated the troop and solicited the scouts or he expressed great interest in scouting.

C F Hirst and J M Southard scoutmasters of Troops Nos 4 and 5 also spoke and each declared their troops might have something to say in connection with the cup next year. Dr B W Hutchins in par on of the First Methodist Bp C onal Council complimented the boys and told them if the just gave their best next year they could not lose. Miss Best Peeler of the Carnegie Free Library staff said the library folk were proud of our boys for the accomplishments.

Other guests, in addition to those who spoke were Mrs W H Law Mrs Walter S Staelin Mr and Mrs J H Fittner Mrs O J Sliger Miss Lillian Edmunds Miss Mary Siger Miss Earle Miss Anna Rea Hafford Miss Marion Fenstermacher Miss Thelma Francis Miss Bess Peeler Miss Eleanor Oliver Mrs F P Moore Mrs Ralph F Sliger Miss Elsie Law John Sliger George W Campbell and James V Driscoll.

## Fayette County Cases Continued

HARRISBURG Sept 21—The cases of Frank Amherst Fayette county second degree murder and Andrew John and Joe Coors Fayette receiving stolen goods were continued by the Fardon Board last night.

The board sat until midnight to complete what is said to have been the longest single list of cases ever submitted to the tribunal.

The application of John Shields Philadelphia for commutation of the death sentence was refused as were six similar applicants last night.

Plenty of Wild Grapes. Wild grapes are reported plentiful

## Dr. Finnegan to Address Fayette Teachers Nov. 2

John S Carroll, county superintendent of schools, has virtually completed plans for the annual Fayette county teachers institute which will be held in Uniontown the week of October 30. Mr Carroll has engaged a number of well known instructors.

Instead of the usual four evening numbers only two will be held this year. The Hippie Concert Company will entertain the teachers Tuesday evening, October 30, while on Thursday evening the Eckholt Concert Company will be the attraction. It is possible that a number will be added for Wednesday evening.

Prominent among the speakers and instructors who will be present at the institute are Dr Thomas P Finnegan state superintendent of public instruction who will address the teachers Thursday afternoon November 2. Dr Orton Lowe of Harrisburg also a member of the State Department of Public Instruction will be another speaker who will be here. Others who will instruct the teachers are Mrs Fanta Wilson of Houston Miss H D Freeland superintendent of the Greene county schools Harry W. Thompson, in charge of the teachers session at Washington & Jefferson College during the past summer. Miss McCleary president of the State School Directors Association Charles G Pfeifer conductor of music and physical training and Dr E H Gaige.

Willa Rhodes soloist at the 1921 institute will be on hand again.

**\$1,300 In Back Pay  
Awarded Soldier's  
Widow at Dunbar**

WASHINGTON Sept 21—Through the efforts of Congressman A N Caldwell Mrs Mary F Black widow of William D Black of Dunbar will receive from the United States Treasury a check for \$1,300 which will represent back pension allowed her from February 5, 1919, according to information received today by Mr Kendall from the commissioner of pensions. Mrs Black will receive \$300 per month pension as long as she lives.

The following persons residing in Mr Kendall's district will benefit by special bills granting them pensions, which were today signed by President Harding:

Jacob Shultz son of Conrad Shultz Meyersdale \$20 per month Benjamin Troutman Sand Patch \$20 per month Mrs Ida D Moore Smithfield \$20 per month Jacob H Martz Gibson \$50 per month Mrs Susan Maurer Stoystown \$40 per month David Harland dependent son of George W Harland Mill Run \$20 per month Mrs Catherine Durst Grantsville \$30 per month William Critchfield Confluence \$50 per month.

Mr Kendall was informed by the Invalid Pension Committee of the House of Representatives that it has secured the passage of the larger number of bills granting pension to Civil War veterans their widows and dependents herein allowed any single member of Congress at this session.

## Mount Pleasant Men Held After Killing Miner

MOUNT PLEASANT Sept 21—Ray Gelsthorpe 33 years old and Roy Holmes 25 of Mount Pleasant coal and iron policemen who were arrested Tuesday by Private Herman Clark of the state police in connection with the shooting of John Bednar a coal miner at the mine of the Clark Company near Welytown under \$10,000 bail each to appear for trial at the November term of a criminal court.

According to the details of the shooting which resulted in the death of Bednar at the Wesmoreland Hospital early Tuesday morning Gelsthorpe and Holmes were operating near the coal works on Monday evening.

It is said that Bednar had been drinking heavily that afternoon and in the evening he appeared on the street of the village and began firing promiscuously with a revolver.

Becoming alarmed at his actions it is said residents, mostly summoning the aid of Gelsthorpe and Holmes. When the two officers arrived it is claimed Bednar pointed the revolver at them and began firing.

The two officers are said to have drawn their revolvers and returned the fire but Bednar let out a loud roar and a bullet passed through the body and arm.

Bishop Post Has  
100 Members on Its  
Roll in New Drive

Million L Bishop Post The American Legion has enrolled 100 new members and is continuing the campaign to get 50 more. This announcement was made following a meeting of the executive committee on Wednesday evening at which time plans for the home talent production which has become an annual feature were talked over.

The total of new members enrolled in the campaign to increase the roster of the post shows 195 additional names bringing the total enrollment of the post to 350. It is the desire of the officers to get 50 more members by September 20 and all campaigners will turn over memberships to G J Poole acting finance officer.

Those working for new members are asked to get the applications in before next Wednesday as they are to be sent immediately to the state headquarters to help boost Pennsylvania's voting power at the national convention.

Other business to be taken up at the regular meeting next Thursday includes the report of the community outing committee, also of the delegates to the state convention.

## COSTA AND TUCCI FREED IN LOMAN MURDER TRIAL

Court Gives Binding Instructions for Defendants in Kiefertown Case.

## SLAYER STILL AT LARGE

Two Italians Were Charged With Being Accessories in That They Helped Mike Aquino, Who Was Trial Shot, to Escape from Scene of Crime.

Under binding instructions from the court a jury Friday morning in Uniontown acquitted Jim Costa and Larry Fierc of being accessories to the murder of Kirk Loman at Kiefertown Aug 5. The defendants were charged with having aided in the escape of Mike Aquino who is said to have fired the shot which killed Loman. Aquino is still at large.

Testimony in the case failed Friday to throw much light on the case. The testimony of the witnesses did not substantiate the physical facts in the case and counsel sought for hours to unravel the mystery involved. Several of the witnesses testified that they saw Mike Aquino shoot Loman.

The autopsy conducted by Dr Gretchen of the Uniontown Hospital showed that the bullet entered the abdomen and made its exit through the back. The clothes worn by the deceased at the time verified the statement of the physician there being a hole in the front of the shirt and another in the back showing the bullet went through the body. Several

witnesses testified that they saw the deceased with a gun in the front of his shirt.

Frank Ganey, policeman at Scottsdale was the first officer on the scene of the shooting testifying that he in company with three other officers made an inspection of the room to locate bullet holes and the only one they could find was in the ceiling. This was found directly above where the deceased was described as sitting at the time of the shooting. It would be impossible for Aquino to have shot the deceased from the position witnesses placed him in the room, it was testified.

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outing committee, also of the delegates to the state convention.

## Grand Jury Holds Over Much of Work To December Term

The grand jury for the September session of criminal court in Uniontown made its final report Friday evening after sitting for two weeks. Notwithstanding the fact that the jury was in session a week longer than is customary only about one-half of the cases were disposed of the remaining being held over until the December session of criminal court. The inquest is set for the afternoon of the December 20th.

Following is the report Number of bills of indictment acted upon 26 Number of true bills 172 Number of bills ignored 54 Number of witnesses examined 15

Have Anything for Sale? Advertise It in Our Classified Column

## Fayette Sunday School Notes

By J H Collins Secretary

Our state convention is scheduled to be held in Lancaster October 11 and 12. Located on the Lincoln highway it will be easy of access by automobile as well as by train and we should have even a larger delegation from Fayette county than the splendid one that attended the Vinton convention last year. I am secretary of the county school board and have already received a supply of brochures and will be pleased to issue same to any one interested in attending.

A novel feature of this convention will be the awarding of service medals to residents of Pennsylvania having records of 50 years of service as teachers of officers in the Shadyside School. Applications for these medals will be available of service records of 50 years of service as teachers of officers in the Shadyside School.

Proposed amendment to section 1 of the Constitution submitted to the Legislature by the Commonwealth of Pennsylvania on November 1st, 1921, is as follows:

ARTICLE XXVIII OF THE CONSTITUTION OF THE COMMONWEALTH OF PENNSYLVANIA

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ARTICLE XXVIII OF THE CONSTIT

## HARRY McCARTNEY IS KILLED, COUSIN AND ANOTHER ALSO

Light Automobile and Motor-  
cycle Come Together Near  
Farmington.

## FAMILY SORELY STRICKEN

A head-on collision Saturday evening along the National Pike at Mount Washington, near Farmington, between a striped Ford and a motor-cycle, with two persons riding each machine, resulted in the instant death of three of the quartet, the fourth being little hurt. Harry P. McCartney, 29 years old, formerly of Connellsville, driver of the automobile, and his cousin, Paul McCartney, 21 years old, of Farmington, who was riding with him, and Charles King, 22 years old, of Uniontown, driver of the motor-cycle, were killed. J. O. Neff, 20 years old, of Uniontown, riding on the side car of the motorcycle, escaped unharmed.

Harry McCartney was a brother of Mrs. Peter R. Weimer of Connellsville and had resided with the Weimers here since he was 15 years old, leaving last spring to take charge of the home farm at Farmington following the death of his father, John H. McCartney in April. Last week he had completed preparations for taking a traveling salesmanship with the H. J. Heinz Company of Pittsburgh, having territory in Monongahela county with Meyersdale as his headquarters. He returned Saturday evening after taking a course of instruction at the Heinz offices and was to have entered upon his new work today.

Shortly after 6 o'clock he and his cousin, Paul, started for Uniontown to attend a picture show. They had gone but a short distance when the cars met. It is said the lights of the automobile failed and that this led to the collision. King and Neff were on their way to the vicinity of Cumberland for a cookout. They had a dog in the side car. It escaped.

Harry McCartney suffered a fracture of the skull and lacerations. Paul McCartney's skull was fractured and his neck broken. King's skull was fractured. Neff suffered a torn ligament of the leg and bruises by being hurled a distance of 20 feet.

The death of Harry McCartney was the third in the family in less than nine months. Joseph McCartney, a brother, a World War veteran, who had been severely wounded and who for a long time was in hospitals, died in December of pneumonia, following injuries sustained when another automobile crashed into his white hit was standing. The father, John H. McCartney, died in April.

Harry Preston McCartney was born at Farmington 24 years ago last March. He was very well known in Connellsville and throughout the coke region. He was a member of Company D, 110th Infantry, when the war broke out but at Camp Hancock was transferred to the 102d Field Bakery and served with that unit through the war. He was a member of King Solomon Lodge and Connellsville Arch Chapter of Masons, and Uniontown Lodge of Perfection. He also was a member of General Worth Lodge, Odd Fellows and the Methodist Episcopal Church at Farmington and of Milton L. Bishop Post, The American Legion. The Masons and the Legion will have charge of the funeral.

Before and since the war he had been employed by his brother-in-law, Peter R. Weimer, as a piano salesman.

Besides his mother, Mrs. Emma McCartney, he is survived by the following brothers and sisters: Mrs. Jarvis Show, Mrs. Frank Cromwell, Mrs. Dalton Sanner, Mildred and Eva, all of Farmington, and Mrs. Percy Black of Fresno, Cal.; Mrs. Albert Hinman of Pittsburgh, and Mrs. Weimer of Connellsville.

Paul McCartney was a son of Mr. and Mrs. Thomas McCartney of Farmington, his home being a half mile from that of his cousin. Neither was married.

Charles King formerly lived at Chalk Hill. He leaves a wife and a son four years old, also two brothers, Harry and Ralph, of Uniontown. He was a brakeman on the Pennsylvania Railroad.

## Valuable Donation to Library by R. Marietta

Through the generosity of R. Marietta, chairman of the board of trustees, the Carnegie Library has received one of its most valuable donations of books.

This consists of a complete set of "American Chronicles" in 50 volumes. Each volume covers the history of an important period in American history and is the work of an author of established reputation who is especially qualified to deal with the subject.

The gift will form a much prized and needed addition to the books in the historical section of the library. Miss Eleanor Oliver, librarian, expresses her delight at the acquisition.

## Truck Owned by John S. Curry Is Wrecked by Fire

While the tank of a truck belonging to John C. Curry of Connellsville was being filled with gasoline Friday morning at Hopwood, the machine caught fire and was damaged beyond repair.

The flames shot into the air and the heat became so intense that a bucket brigade was formed and the Uniontown Fire Department was summoned. The bucket force saved nearby buildings.

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